

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

FREEPLAY MUSIC, LLC,

Plaintiff,

:

Case No. 3:17-cv-42

- vs -

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

DAVE ARBOGAST BUICK-GMC, Inc.,

Defendant.

:

RECUSAL ORDER

This case was randomly assigned to the undersigned upon its filing in February 2017. District Judge Rice has now entered a Preliminary Pretrial Conference Order which refers the case to me for pretrial management purposes (ECF No. 13, PageID 73). However, many of the dates set in the Order occur after expiration of my term of office on March 1, 2018.

Therefore, I recuse myself from further judicial participation in this case and direct the Clerk to randomly reassign the case to one of the other Magistrate Judges resident at Dayton. September 21, 2017.

s/ *Michael R. Merz*
United States Magistrate Judge